



WISCONSIN REGULATORY DIGEST

A Publication of the NURSING HOME ADMINISTRATOR EXAMINING BOARD

Volume 11, No. 1

May, 2000

Governor Tommy Thompson Appoints New Board Members

David M. Egan

Governor Tommy Thompson appointed Mr. Egan to replace Shirley Keller on November 1, 1999. Ms. Keller's term had expired. Mr. Egan's term will expire on July 1, 2003. He is the nursing home administrator at Real Property Health Facilities, Inc. He has been a nursing home administrator at Tomah and Prairie du Chien. We welcome Mr. Egan to the Board.

Roxann Miller Sobek

Governor Tommy Thompson appointed Ms. Miller Sobek to replace Nancy Harper on November 1, 1999. Ms. Harper's term had

expired. Ms. Miller Sobek's term will expire on July 1, 2003. She is a housewife, serving as a public member of the Board. She has had many years of experience with the nursing home system, becoming directly involved when her parents and husband were living in nursing homes.

Legislative Update

The Nursing Home Administrator Examining Board tried hard to obtain passage of a bill that would change the credentialing requirements for a nursing home administrator license. A bill was introduced in each house of the Legislature, SB 299 and AB 607, however, we ran out of time. We'll try again next year.

The Board was pleased that the Senate Committee on Health, Utilities and Military Affairs, Senator Rodney Moen, Chair, held a hearing on January 26, 2000, and voted 7-0 to support SB 299. The Assembly did not hold any hearings on the bill.

NURSING HOME ADMINISTRATOR EXAMINING BOARD

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AB 607/SB299 required applicants for a nursing home administrator license to have a bachelor's, master's or doctoral degree with a major in	

health care administration or long term care from an accredited college or university, or a bachelor's degree in any field from an accredited college or university and completion of a specialized course which the examining board considers adequate preparation for nursing home administration. The legislation also required applicants to obtain 2,000 hours of supervised practical experience.

Administrative Rule Changes

The following rule revisions became effective on February 1, 2000:

SECTION 1. NHA 1.02 (l) is renumbered NHA 1.02 (2).

SECTION 2. NHA 1.02 (1) is created to read:

NHA 1.02 (1) "Accredited college or university" means an educational institution that is accredited by a regional or national accrediting agency recognized by the U.S. department of education.

SECTION 3. NHA 4.01 (1) (c) is amended to read:

NHA 4.01 (1) (c) Submit If the applicant has not completed a regular course of study, submit evidence of successful completion of one year of experience in the field of institutional administration.

SECTION 4. NHA 4.03 (intro.) is amended to read:

NHA 4.03 **Reciprocity.** (intro.) The board at its discretion and otherwise subject to laws pertaining to licensure of nursing home administrators may grant a license as a nursing home administrator to an applicant who holds a current license issued by the proper authorities in any other jurisdiction, which has not been revoked or suspended, upon payment of the fee required under s. 440.05 (2), Stats., and submission of evidence satisfactory to the board that the applicant has satisfied all of the following:

SECTION 5. NHA 4.03 (1) is repealed and recreated to read:

NHA 4.03 (1) Has a bachelor's degree in any field that was obtained from an accredited college or university or holds a current certification as a nursing home administrator granted by the American college of health care administrators.

Note: The American College of Health Care Administrators may be contacted at 325 South Patrick Street, Alexandria, VA 22314.

SECTION 6. NHA 4.03 (2), (3) and (4) are amended to read:

NHA 4.03 (2) ~~The applicant has been engaged in practice~~ Has practiced as a nursing home administrator for ~~fewer than~~ at least 2,000 hours in any consecutive ~~36-month~~ 3-year period within the 5-year period immediately preceding the date of application for licensure; ~~and,~~

(3) ~~The applicant has~~ Has passed the state law examination ~~on Wisconsin law governing nursing homes~~ required for licensure under s. NHA 2.01 (3) (b).

(4) ~~The applicant does~~ Does not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, Stats. An applicant who has a pending criminal charge or has a conviction record shall provide the board with all related information necessary for the board to determine whether the circumstances of the pending charge or conviction substantially relate to the practice of nursing home administration.

Provisional Licenses

Perhaps, you will recall that the Nursing Home Administrator License Law defines a "provisional license" as a temporary license issued to a provisional nursing home administrator "under this chapter." The problem with this provision is that nowhere in the chapter of the License Law is there any authority for the Board to grant provisional licenses to applicants. Therefore, the Board is continuing to study this issue. It has met with

representatives of the Wisconsin Department of Health and Family Services (DHFS) and has sent comments to DHFS, relating to proposed revisions to HFS 132, Wis. Admin. Code.

The Board has offered the following suggestions to DHFS:

1. That DHFS should amend the latest draft of HFS 132, Wis. Admin. Code, by changing 60 calendar days to secure a replacement licensed administrator to 120 days, by changing the word “qualified” to “competent”, and by requiring that the acting administrator have consultation with a licensed nursing home administrator during the interim period.
2. That the Bureau of Quality Assurance should notify the Board when it gets close to a final draft of the rules, in order for the Board to review exam questions that are based on HFS 132.

Statistics

The number of licensees, as of May 5, 2000, is:

Nursing home administrators – 1,120

Complaint Statistics

Complaints Received in 1999 – 35

Complaints Closed After Screening – 21

Complaints Closed After Investigation – 10

Complaints Closed With Discipline - 2

Note: The number of complaints closed includes complaints received prior to 1999.

Credential Holder Query

Be sure to check out the department’s new credential holder query feature on the Internet. You will find it at <<http://www.drl.state.wi.us>>. By accessing this site you will be able to verify whether an individual or business entity holds or has held a license in any of the professions regulated by the department.

NAB Mid-Year Meeting

Patricia Schulz represented the Board at the Mid-Year Meeting of the National Association of Boards of Examiners of Long Term Care

Administrators (NAB), on November 3-5 1999. Ms. Schulz’ report summarized a panel discussion about the decline in candidates taking the NHA exam. Ms. Schulz reported that there were 1000 candidates in 1997-98. There was a 10% drop in 1998 and 18% drop in 1999. The contributing causes were the following:

1. Burn out, due to staffing, budget, regulations and human need.
2. Inadequate preparation of candidates by the educational system – complexity of the job.
3. Expecting administrators to be experts on everything.
4. Negative press.
5. Overzealous surveyors.
6. Threats of imprisonment as a penalty resulting from surveys.
7. Survey reports that focus on negatives, rather than positives.
8. Insufficient training of surveyors and, thus, inequitable surveys.
9. Complexity of the profession; demands on time.
10. Risk is too high. Salaries are not high enough to warrant the risk.
11. Since assisted living is less regulated, many administrators are working in this area.

Memorandum of Agreement

The Department of Health & Family Services (DHFS), the Nursing Home Administrator Board and the Department of Regulation and Licensing developed a memorandum of agreement on July 1, 1997. These agencies are now reviewing that agreement and working toward a revised document that will assure meaningful cooperation in achieving compliance with provisions of federal law, relating to substandard quality of care at a nursing facility. Some of the revisions to the agreement will address the board’s need for more information about persons working as acting administrators when violations occurred and for more information from DHFS that may demonstrate substandard care.

Department of Regulation and Licensing
Nursing Home Administrator Examining Board
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(608) 266-5511

After dialing this number you are asked to press various menu choices. For the following requests, please press numbers as noted:

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Application Processing & Requirements	Press 42
FAX number 608-267-3816	

Verifications

Requests for verifications to other states must be in writing. The cost is \$10. Please make out check or money order to the Department of Regulation and Licensing.

Dates to Remember

Exams: July 13, 2000

Board Meetings: June 15, August 17, October 12, December 14, 2000. All meetings are held at 1400 E. Washington Ave., Madison, WI, and are open to the public and subject to cancellation without notice. Please call to confirm dates.

Visit the Department's Web Site

<http://badger.state.wi.us/agencies/drl/>
Send comments to dorl@drl.state.wi.us

Wisconsin Statutes and Code

Copies of the Nursing Home Administrator Examining Board's Statutes and Administrative Codes may be ordered from the Department. Include your name,

address, county and a check payable to the Department of Regulation and Licensing in the amount of \$5.28. The latest edition is dated July 1998.

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